

# Morris James LLP

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August 13, 2007

**VIA E-FILING**

The Honorable Gregory M. Sleet  
United States District Court  
Federal Building  
844 King Street  
Wilmington, DE 19801-3570

RE: *Kenneth Cole and Brigitte L. Brown v.  
Delaware Technical and Community College  
Civil Action No. 05-270-GMS*

Dear Judge Sleet:

As Your Honor is aware, the pretrial order in the above-referenced case is due today. The situation we are confronted with compels me to inform Your Honor the deadline will not be met.

We have not received from the Plaintiffs a draft of the pretrial order as required by the Local Rules and as contemplated by Your Honor's Scheduling Order. Consequently, it is my responsibility to inform the Court that a pretrial order in the form you require will not be submitted to the Court in a timely fashion.

As you can see from the attached letter, we attempted to address this issue with Plaintiffs' counsel. The attached letter was e-mailed by my associate to Plaintiffs' counsel on August 10, 2007 at 9:37 a.m. As of the time I am sending this letter, we have not received a response.

While we endeavored to prepare the Defendant's portions of the pretrial order and the requisite accompanying documents, they remain incomplete due to the fact necessary information has not been received from the Plaintiffs. Therefore, I ask Your Honor to please inform me as to how the Court would like this situation handled. If Your Honor would like to

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receive from the Defendants its submission without input from the Plaintiffs, I respectfully request that you so inform me.

Respectfully submitted,



David H. Williams (#616)

DHW/jam  
Enclosure

cc: Herbert Mondros, Esquire (via e-filing)  
Clerk of the Court (via e-filing)